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4 GARY FISHER,
5 Plaintiff,
6

7 v.
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9 DIRECTOR OF OPS OF CDCR,
10 Defendant.
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12 Case No. 14-cv-04199-WHO (PR)
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ORDER OF DISMISSAL

14 Plaintiff Gary Fisher has failed to comply with the Court's order to file a complaint.
15 Accordingly, the action is DISMISSED without prejudice for failing to respond to the
16 Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this
17 dismissal is without prejudice, Fisher may move to reopen the action. Any such motion
must contain a complaint using this Court's form.

18 Fisher's motion for a preliminary injunction (Docket No. 2) and his motion for the
19 appointment of counsel (Docket No. 7) are DENIED without prejudice. He may refile
20 these motions with his complaint.

21 The Clerk shall terminate Docket Nos. 2 and 7, enter judgment in favor of
22 defendant, and close the file.

23 **IT IS SO ORDERED.**

24 **Dated:** November 17, 2014

25 
26 WILLIAM H. ORRICK
27 United States District Judge
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